

REMARKS

In the Office Communication it was asserted that Applicant's communication of July 5, 2007, was non-responsive to the Restriction/Election requirement of June 4, 2007, because Applicants had not elected "one of the recognition sites listed in Claims 2-5".

Applicants respectfully traverse this assertion. In the Restriction/Election requirement, Applicants were requested to select one of the following group of claims under 35 U.S.C. §1.121 for prosecution:

Group I, Claims 1-17 and 35, drawn to a method for cleaving a fusion protein using a Granzyme B polypeptide.

Group II, Claims 18-32, drawn to a fusion protein comprising a cleavage site for a Granzyme B polypeptide.

Group III, Claims 33 and 34, drawn to a Granzyme B polypeptide.

Group IV, Claims 36-39, in part, drawn to a polynucleotide encoding a fusion protein comprising a cleavage site for a Granzyme B polypeptide.

Group V, Claims 36-39, in part, drawn to a polynucleotide encoding a Granzyme B polypeptide.

Also, it was alleged that the application contains claims directed to several patentably distinct species of the invention and, if Group I were elected, Applicants were requested, in pertinent part, to elect one of the recognition sites listed in Claims 2-5.

In their response, Applicants elected Group I and the recognition site of claim 2, which is directed to "the Granzyme B protease recognition site [which] comprises an amino acid sequence of the general formula:

P4 P3 P2 P1↓

wherein

P4 is amino acid I or V,

P3 is amino acid E, Q or M,

P2 is X, where X denotes any amino acid,

P1 is amino acid D, and

↓ is said Granzyme B protease cleavage site." See claim 2.

Applicants submit that they complied with the restriction/election requirement. Thus, Applicants respectfully request reconsideration and withdrawal of the holding of non-responsive election.

In the event that the holding is not withdrawn, Applicants elect the following Granzyme B recognition site:

the amino acid sequence of the formula:

P4 P3 P2 P1↓

wherein

P4 is amino acid I,

P3 is amino acid E,

P2 is X, where X denotes any amino acid,

P1 is amino acid D, and

↓ is said Granzyme B protease cleavage site.

Applicants submit that Claims 1- 17 and 35 continue to encompass the elected invention.

Request for Allowance

Applicants respectfully submit that all claims are in condition for allowance, an indication of which is solicited.

In the event any outstanding issues remain, Applicants would appreciate the courtesy of a telephone call to the undersigned Applicants' representative to resolve such issues in an expeditious manner and place the application in condition for allowance.

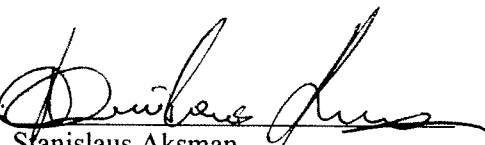
Applicants believe that no fees are necessary with this filing. Nonetheless, if any fees are associated with this filing, please charge such fees to Deposit Account Number 50-2478.

Respectfully submitted,

ROBERTS MLOTKOWSKI & HOBBS, P.C.

Dated: October 24, 2007

By

A handwritten signature in black ink, appearing to read 'Stanislaus Aksman', written over a horizontal line.

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